IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 28TH SEPTEMBER 2007 / 6TH ASWINA 1929

WP(C).No. 28870 of 2007(J)

RFA.142/2003 of II ADDL. DISTRICT COURT, KOLLAM
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PETITIONERS:
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1. SOBHA, D/O. KUNJUKUTTY AMMA,
THAMARATHIL PADINCHATTATHU, CHERUSSERY BHAGOM MURI, CHAVARA VILLAGE, KOLLAM.

2. SIVASANKARAN PILLAI,
THAMARATHIL PADINCHATTATHU, CHERUSSERY BHAGOM MURI, CHAVARA VILLAGE, KOLLAM.

BY ADV. SRI.C.RAJENDRAN

RESPONDENT:

BHASKARAN, S/O. MADHAVAN,
ERAMELI, THOTTINVADAKKUMURI, CHAVARA VILLAGE, KOLLAM.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.Krishnan, J.

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W.P(C).No.28870 of 2007

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Dated this the 28th day of September, 2007.

JUDGMENT

This Writ Petition is filed challenging Ext.P8 order of the 2nd Additional District Judge, Kollam. In the appeal, there was a stay granted and in spite of the pressure from the respondent for hearing the same, it appears that the appellants did not get ready and therefore, the court vacated the stay order. Now the learned counsel for the writ petitioners submits before me that he is prepared to argue the appeal any day as fixed by the court and until then the possession of the petitioners need not be disturbed.

2. Therefore, I direct the 2nd Additional District Judge, Kollam to dispose of R.F.A.No.142 of 2003 pending before it within a period of two months from the date of receipt of a copy of this judgment and till then there is a direction to the Executing Court not to proceed with the execution proceedings in the matter.

Writ Petition is disposed of accordingly.

M.N.Krishnan,
Judge.

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